



09-09-02

GP 268#4  
JD.  
10-302

PTO/SB/24 (10-01)

Approved for use through 10/31/2002. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**EXPRESS ABANDONMENT UNDER 37 CFR 1.138**

Docket Number (Optional)

To:

Assistant Commissioner for Patents  
Washington, DC 20231In re Application of  
**Klein**Application Number  
**09/931,314**

Filed

**08/17/2001**

For Trinity series, hands-free kit, model K1000pi

Art Unit  
**2681**Examiner  
**unknown****RECEIVED****SEP 12 2002**

Please check only one of boxes 1-3 below:

(If no box is checked, this paper will be treated as a request for express abandonment as of the filing date of this paper.)

1. ☒ **Express Abandonment**  
I request that the above-identified application be expressly abandoned as of the filing date of this paper.
2. ☐ **Express Abandonment in Favor of a Continuing Application**  
I request that the above-identified application be expressly abandoned as of the filing date accorded the continuing application filed herewith.
3. ☐ **Petition for Express Abandonment to Avoid Publication under 37 CFR 1.138(c)**  
I hereby petition to expressly abandon the above-identified application to avoid publication.

NOTE: The application will be published in regular course unless the petition is recognized by the Pre-Grant Publication Division in sufficient time to avoid publication (e.g., more than four (4) weeks prior to the projected publication date).

**Petition Fee** – must be filed with petition to avoid delays in recognizing the petition.

- a. ☐ The Commissioner is hereby authorized to charge the petition fee under 37 CFR 1.17(h) to Deposit Account No. \_\_\_\_\_.
- b. ☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 is enclosed).

Fax the petition directly to the Pre-Grant Publication Division at (703) 305-8568 or Mail the petition to the above address directed to **Box PGPub-ABD**.

**NOTE:** A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes the paper. See MPEP 711.01. In addition, the paper will not stop publication of the application unless a petition under 37 CFR 1.138(c) is recognized by the Pre-Grant Publication Division in sufficient time to avoid publication.

- I am the: ☒ applicant.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- ☐ attorney or agent of record.
- ☐ attorney or agent acting under 37 CFR 1.34(a) (may act only if box 2 above, stating that the application is expressly abandoned in favor of a continuing application, is checked). Attorney or agent registration number if acting under 37 CFR 1.34(a). \_\_\_\_\_

(Attorney or agent registration number)

  
\_\_\_\_\_  
Signature**Richard Ira Klein**

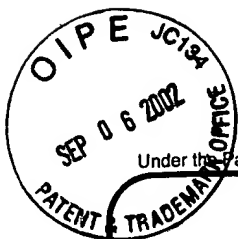
Typed or printed name

  
\_\_\_\_\_  
Date

\* Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\* ☒ Total of **1** forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

09/931,314

Filing Date

08/17/2001

First Named Inventor

Klein

Group Art Unit

2681

Examiner Name

unknown

Total Number of Pages in This Submission

3

Attorney Docket Number

Technology Center 2600

## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☒ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

Postcard Receipt  
Express mail Certificate

Remarks

Application confirmation number is 3730

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Richard Ira Klein

Signature

Date

8/30/02

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class express mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: Sept. 6, 2002

Typed or printed name

Timothy N. Ellis, Reg. No. 41,734

Signature

Tim Ellis

Date

Sept. 6, 2002

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EXPRESS MAIL CERTIFICATE

"Express Mail" mailing label No. EU490392326US

Date of Deposit: September 6, 2002

Inventor: Klein

Title of Invention: Trinity series, hands-free kit, model K1000pi

Application Number: 09/931,314

Filing date: 8/17/2001

I hereby certify that the following documents:

- 1) Transmittal form
- 2) Express abandonment under 37 CFR 1.138
- 3) Express Mail Certificate
- 4) Postcard receipt

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Are being deposited in a single envelope with the United States Postal Service  
"Express Mail Post Office to Addressee" service under 37 C.F. R. 1.10 on the  
date indicated above and such envelope is addressed to the Assistant  
Commissioner for Patents, Washington, D.C. 20231.

Timothy N. Ellis

Reg. No. 41,734